



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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EDMUND G. BROWN JR.  
GOVERNOR

April 11, 2014

Lori Cox, Director  
Alameda County  
Social Services Agency  
2000 San Pablo Ave., 4<sup>th</sup> Floor, Suite #445  
Oakland, CA 94612

Dear Ms. Cox:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office, Ms. Elsa Vazquez during the course of the Civil Rights Compliance Review of August/September, 2013. Enclosed is the final report on the review. We apologize for the delay.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a Corrective Action Plan (CAP). Please submit your CAP within 60 days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the enclosed report.

Please submit your CAP in both hardcopy and, in an effort to comply with ADA website accessibility, we also require the CAP to be submitted electronically as a Word document via email at [crb@dss.ca.gov](mailto:crb@dss.ca.gov).

We will provide a copy of your report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. In addition, these documents are published on our website at <http://www.cdss.ca.gov/civilrights/PG2890.htm>

If you need technical assistance in the development of your CAP, please feel free to contact Ms. Elsa Vazquez at (916) 654-2110. You may also contact her by e-mail at [Elsa.Vazquez@dss.ca.gov](mailto:Elsa.Vazquez@dss.ca.gov).

Sincerely,

***Original signed by Civil Rights Bureau Chief***

JIM TASHIMA, Chief  
Civil Rights Bureau  
Human Rights and Community Services Division

Enclosure

c: Darleen Brooks, Civil Rights Coordinator

Mike Papin, Chief  
CalFresh Policy Bureau

John Mason, Chief  
Field Operations Bureau

Taadhimeda Haynes  
Staff Services Manager I

Sysvanh Kabkeo, Chief  
CalFresh Management Operations Section

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Jodie Berger, Regional Counsel  
Legal Services of Northern California

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT  
FOR  
Alameda County Social Services Agency**

**Conducted on  
August/September 2013**

**California Department of Social Services  
Human Rights and Community Services Division  
Civil Rights Bureau  
744 P Street, M.S. 8-16-70  
Sacramento, CA 95814  
(916) 654-2107**

**Reviewer**

**Elsa Vazquez**

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## **CIVIL RIGHTS COMPLIANCE REVIEW REPORT**

### **I. INTRODUCTION**

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Alameda County Social Services Agency with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on separate dates between August and September, 2013. An exit interview was held to review the preliminary findings.

The review was conducted in the following locations:

<b>Name of Facility</b>	<b>Address</b>	<b>Programs Reviewed</b>	<b>Non-English languages spoken by a substantial number of clients (5% or more)</b>
South County-Eden Area Multi-Service Center	24100 Amador Street Hayward, CA	Children Family Services	<b>Spanish</b>
Eastmont Self-Sufficiency Office	6955 Foothill Blvd Oakland, CA	IHSS	<b>Chinese, Cantonese Vietnamese, Farsi, Spanish</b>
Livermore Outstation	3311 Pacific Ave Livermore, CA	Calfresh & CalWORKS	<b>Spanish</b>

### **II. SUMMARY OF METHODOLOGY**

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2013 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections
- Review of vendor contracts
- Discussion with community advocate groups:

Luan Huynh  
East Bay Community Law Center  
3130 Shattuck Avenue  
Berkeley, CA 94705

Maya Watts  
Bay Area Legal Aid  
1735 Telegraph Avenue  
Oakland, CA 94612

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	4	2
Children Social Workers	2	2
Adult Program Workers	5	4
Receptionist/Screeners	3	0
<b>Total</b>	<b>14</b>	<b>8</b>

Program Manager Surveys

Number of surveys distributed	3
Number of surveys received	3

### Reviewed Case Files

English speakers' case files reviewed	3
Non-English or limited-English speakers' case files reviewed	48
Languages of clients' cases	Korean, Spanish, Vietnamese, Russian, Farsi, Chinese, Cantonese, and Tongan

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX summarizes findings from discussions with community organizations, including advocate groups.

Section X reviews of Vendor Contract for Assurance of Compliance.

Section XI reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

Section XII of the report is reserved for a declaration of overall compliance.

### **III. DISSEMINATION OF INFORMATION**

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

#### **A. Findings**

<b>Access to Services, Information and Outreach</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county accommodate working clients by flexing their hours or allowing applications to be	X			Clients can mail in applications, or put in drop box after hours.

mailed in?				Office hours are 8:30 a.m. – 5:00 p.m.
Does the county have extended hours to accommodate clients?		X		Only in the IHSS program, workers interviewed stated that they are available until 8:00 p.m.
Can applicants access services when they cannot go to the office?	X			Clients can access services online with Benefits CalWIN and/or by telephone.
Does the county ensure the awareness of available services for individuals in remote areas?	X			Per responses from the Program Manager Surveys, awareness is made available through the Alameda public website and through public social media and partnering with community based organizations to share information on available services.

<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county use the CDSS pamphlet “Your Rights Under California Welfare Programs” (Pub 13 – 6/11)?	X			The pamphlet is included in the intake packet and the annual recertification packet.
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			It is county policy that the pamphlet be explained at initial intake and recertification. Per interviews conducted, staff stated they follow this policy.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian	X			



<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Spanish, Tagalog, Ukrainian, and Vietnamese?				
Was the Pub 13 available in large print (English and Spanish), audiocassette and Braille?		X		The audio format of the Pub 13 was not available at 6955 Foothill Blvd Office.
Were the current versions of the required posters present in the lobbies?	X			The offices visited had the required posters.
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?		X		Two of the workers interviewed were not aware of the location of the required posters.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	X			

## **B. Corrective Actions**

<b>Informational Element</b>	<b>Corrective Action Required</b>
Auxiliary aids	Alameda County Social Services Agency shall ensure the availability of large print, Braille, and auditory aids for participants in all of the programs for which CDSS has oversight responsibility. Div. 21-115.4

## **C. Recommendation**

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	06/11
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact the Civil Rights Bureau to receive the most recent versions, or download the Pub 13 from the CRB website <http://www.cdss.ca.gov/civilrights/entres/forms/English/pub13.pdf>.

#### **IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES**

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

##### **A. Findings and Corrective Actions**

###### **1. Facility Location:** South County Eden - 24100 Amador St, Hayward

<b>Facility Element</b>	<b>Findings</b>	<b>Corrective Action</b>
Parking	There was no unauthorized parking signage at entrance to off-street accessible parking.	An additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space.  The sign shall be 17" by 22" min. in size with lettering 1" min.

		<p>high, stating:  “Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner’s expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.”</p> <p>Blank spaces are to be filled in with appropriate information as a permanent part of the sign.  (CA T24 1129B.4) p 134</p>
	<p>Four out of the thirteen freestanding parking stall signs measured too low between 77” to 78 ½”.</p>	<p>Each parking space for persons with disabilities shall be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of the International Symbol of Accessibility in white on dark blue background.  (CA T24 1129B.4) (ADA 4.6.4) p 134</p> <p>When in a path of travel, sign shall be posted at a height of 80” min. from the bottom of the sign to the finished grade. (CA T24 1129B. 4) (ADA 4.6.4 p 134</p>
	<p>There was no “Minimum Fine \$250” signage below the symbol of accessibility.</p>	<p>An additional sign or additional language below the symbol sign of accessibility shall state “Minimum Fine \$250”.  (CA T24 1129B.4) p 134</p>
	<p>The loading access aisle needs to be repainted with the words “NO PARKING”.</p>	<p>The words “NO PARKING” shall be painted on the ground in each 5’ or 8’ loading and unloading access aisle in white</p>

		letters no smaller than 12". CA T24 1129B.3.1) p 136
1 <sup>st</sup> Floor restroom	Soap dispenser is too high at 47".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.1.1) (ADA 4.19.6) p 296, 299, 304
2 <sup>nd</sup> Floor – Suite 216	The door pressure for Suite 216, is excessive at 15 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207
2 <sup>nd</sup> Floor Men's Restroom	Door pressure is excessive at 12 lbs.  Wall signage does not have proper pictogram.  Soap dispenser is too high at 42".	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207  Pictorial symbol signs shall be accompanied by verbal description placed directly below the pictogram. Minimum outside dimension height of pictogram shall be 6". (CA T24 1117B.5.5.3) (ADA 4.30.4)  If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.1.1) (ADA 4.19.6) p 296, 299, 304
2 <sup>nd</sup> Floor Women's Restroom	No wall signage adjacent to latch outside the door.	Women's sanitary facilities shall be identified by a circle ¼" thick and 12" in diameter. (CA T24 1115B.6.2) p286  Door sign and wall sign shall be 60" above the floor to the center

		<p>line of sign.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p 287</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p 287</p> <p>Pictorial symbol signs shall be accompanied by verbal description placed directly below the pictogram. Minimum outside dimension height of pictogram shall be 6". (CA T24 1117B.5.5.3) (ADA 4.30.4) p 287</p>
	Pipes under sink need to be securely covered.	<p>Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.3.4) (ADA 4.19.4) p 296</p>

**2. Facility Location:** Livermore Office - 3311 Pacific Ave, Livermore

Facility Element	Findings	Corrective Action
Parking	Access aisle does not have the words "No Parking" on the ground.	The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". CA T24 1129B.3.1) p 136

Men's Restroom	Soap dispenser is too high at 42".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.1.1) (ADA 4.19.6) p 296, 299, 304
Women's Restroom	Paper towel dispenser is too high at 52".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.1.1) (ADA 4.19.6) p 296, 299, 304

### 3. Facility Location: Eastmont Office - 6955 Foothill Blvd., Oakland

Facility Element	Findings	Corrective Action
Parking- 2 <sup>nd</sup> Floor Main Entrance	Accessible parking access aisles measured too narrow at 4' 7½".	Access aisle dimensions: 5' wide by 18' long. (CA T24 1129B.3.1 &2) ADA 4.6.3) p 136  Dimension to centerline of stripes. (CA T24 1129B.3.1) p136
Main entrance	No accessible signage at main entrance to building.	A sign with the international symbol of accessibility shall be at every primary entrance and every major junction where the accessible route of travel diverges from the regular circulation path along or leading to an accessible route of travel, entrance or facility. (CA T24 1127B.3) p 191 The International Symbol of Accessibility shall be the standard used to identify

		facilities that are accessible to and usable by physically disabled persons as set forth in these building standards and as specifically required in this section. (CA T 24 117B.5.8.1) (ADA 4.1.2(7)) p 400
Client lobby	There was no audio format available of the Pub 13.	Pamphlets supplied by CDSS entitled "Your Rights Under California Welfare Programs" shall be made available in all CWD waiting rooms and reception areas and shall be distributed and explained to each applicant/recipient at intake and reinvestigation of eligibility. The pamphlets shall be in the primary languages of the CWD's applicant/recipient population including alternate formats (e.g., cassette tapes, large print, etc.). (Div. 21-107.221)
Men's Restroom	<p>Door pressure is excessive at 13 lbs.</p> <p>Pipes under sink need to be securely wrapped</p> <p>Soap dispenser and toilet sheet protector are too high at 48".</p>	<p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207</p> <p>Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.3.4) (ADA 4.19.4) p 296</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.1.1) (ADA 4.19.6) p 296, 299, 304</p>

Women's Restroom	Door pressure is excessive at 13lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207
	Pipes under sink need to be securely covered.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.3.4) (ADA 4.19.4) p 296
	Soap dispenser, toilet sheet protector and paper towel dispenser are too high at 49".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.1.1) (ADA 4.19.6) p 296, 299, 304

**V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES**

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff is not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in



individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

**A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews**

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			Clients are asked to identify at initial contact on the application and/or verbally.
Does the county use a primary language form?			X	The county uses Form 50-85, Language Preference Form, to capture the client's language. However, the reviewer did not find the form consistently used in the programs reviewed Children Services, IHSS, CaWORKS, and CalFresh.
Does the client self-declare on this form?	X			Client's self- declare on the application form and/or verbally.
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Bilingual services are provided for the most common languages, but from responses received from interviews there is a need for interpretive services in the less common languages.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			The county process for procuring an interpreter is for workers to use an in house bilingual worker whenever possible. However, if there is no bilingual worker available who speaks in the client's language then workers are to use the language line.
Is there a delay in providing services?			X	Workers interviewed stated that there could be a delay for rare languages.
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			Alameda County contracts with Lion Bridge Language Line for interpreters, and also has an in-house bilingual roster.

Question	Yes	No	Some-times	Comments
Are county interpreters determined to be competent?	X			Bilingual workers are tested and certified by the agency.
Does the county have adequate interpreter services?	X			Program Managers surveyed and workers interviewed both agreed there is a need for more county bilingual interpreters. *See comments below.
Does the county allow minors to be interpreters? If so, under what circumstances?	X			One worker interviewed stated they are aware that minors have been allowed to provide interpreter services, however, the circumstance was not known.
Does the county allow the client to provide his or her own interpreter?	X			Workers interviewed stated they will allow a client provided interpreter, however they prefer the client to use a county interpreter.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			Workers interviewed stated if they see that the client or the client provided interpreter does not understand they will call on a county interpreter to ensure the client understands.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			CalWIN system generates forms.
Is the information that is to be inserted into NOA translated into the client's primary language?	X			Workers interviewed stated if an insert needs to be translated into the client's language they will do so by using a bilingual worker or the Lion Bridge Interpreter services.
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with	X			At the Eastmont Office, 6955 Foot Hill Blvd, Oakland, auxiliary aids were available but the audio version of the Pub 13 was not.

Question	Yes	No	Some-times	Comments
impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?				
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			Workers interviewed stated they would assist the client by reading and explaining the forms to them.
Does the county offer screening for learning disabilities?	X			In the programs reviewed there is not an established process for screening for learning disabilities. Workers interviewed stated it would be offered in the Welfare to Work Program. This program was not reviewed for this review.
Is there an established process for offering screening?	N/A			
Is the client identified as having a learning disability referred for evaluation?	N/A			

## B. Corrective Actions

Area of Findings	Corrective Actions
Bilingual Staff	Alameda County Social Services Agency shall ensure that a sufficient number of qualified bilingual employees shall be assigned to positions and locations serving a substantial number of non-English-speaking persons. Div. 21-115.1
Effective Services	Alameda County Social Services Agency must develop and implement a policy that identifies the process to ensure effective services to applicants and recipients who are non-English speaking or who have disabilities. Div. 21-115

<b>Area of Findings</b>	<b>Corrective Actions</b>
Timely Services	Alameda County Social Services Agency must ensure that bilingual/interpretive services are prompt and without undue delay. Div. 21-115
Interpreter Services	Alameda County Social Services Agency must offer and provide free interpreter services using qualified interpreters. Div. 21-104q(1) and 21-115
Use of Minors	Alameda County Social Services Agency shall only allow the use of a minor (under the age of 18 years) to temporarily act as an interpreter under extenuating circumstances or at the specific request of the applicant/recipient. Div. 21-115.16
Auxiliary Aids	Alameda County Social Services Agency shall ensure the availability of auxiliary aids and services to persons who are deaf or hearing impaired, or persons with impaired speech, vision or manual skills where necessary to afford such persons an equal opportunity to access program services. Div. 21-115.41

### **C. Observations**

1. The reviewer also visited the Alameda County Social Services Agency Call Center. The Call Center responds to incoming calls for the county for the following programs CalWORKS, CalFresh, GA, Medi-Cal, and Workforce Programs. The reviewer observed that if a caller needs an interpreter, the worker immediately calls the Language Line for an interpreter. There currently is no bilingual staff in the call center. The workers tally daily types of calls received by program and language.
2. No specific data was available regarding bilingual staffing in the offices reviewed; however findings from the Program Manager Surveys and staff interviews indicate there is a need for additional bilingual workers. Specifically, in the IHSS Program, staff stated there is a need for additional Cambodian bilingual speaking workers in the payroll department. (Bilingual staffing will be mentioned further in discussion of the Section XI Civil Rights Compliance Plan.

### **VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS**

Counties are required to ensure that case records document an applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

**A. Findings from Case File Reviews and Staff Interviews**

<b>Documented Item</b>	<b>Children's Services</b>	<b>Adult Programs (IHSS)</b>	<b>CalWORKs</b>	<b>CalFresh</b>	<b>Program Integrity (Fraud Case review)</b>
Ethnic origin documentation	CWS/CMS IHSS Individualized assessment form, IHSS application, SOC 873/874	Application, Interview Face sheet	SAWS 1 & CalWin	SAWS 1, DFA 285 & CalWin	Referral Form
Primary language documentation	CWS/CMS Referral Sheet Court documents	Form 5805, CMIPS and Interview Face sheet	Form 50-85, SAWS 1 & CalWin	Form 50-85, SAWS 1 & CalWin	Referral Form
Method of providing bilingual services and documentation	CWS/CMS case comments	CMIPS case comments, Interview Face Sheet	CalWin case comments	CalWin case comments	Investigative narrative
Client provided own interpreter	None found	CMIPS and Interview Face Sheet	CalWin case comments	CalWin case comments	Investigative narrative
Method to inform client of potential problem using own interpreter	None found	None found	None found	None found	None found
Release of information to Interpreter	None found	None found	None found	None found	None found
Individual's acceptance or refusal of written material offered in primary language	Form 58-05	Form 58-05	Form 50-85	Form 50-85	None found
Documentation of minor used as interpreter	None found in case sample. However during	None found	None found	None found	None found

<b>Documented Item</b>	<b>Children's Services</b>	<b>Adult Programs (IHSS)</b>	<b>CalWORKs</b>	<b>CalFresh</b>	<b>Program Integrity (Fraud Case review)</b>
	interviews the reviewer was informed that there have been cases where minors were used.				
Documentation of circumstances for using minor interpreter temporarily	It is not known what the circumstances were in using minors.	None found	None found	None found	None found
Translated notice of actions (NOA) contain translated inserts	CWS/CMS	CMIPS	CalWIN	CalWIN	CalWIN
Method of identifying client's disability	None found in case sample	CMIPS, Face Sheet	CalWIN	CalWIN	CalWIN
Method of documenting a client's request for auxiliary aids and services	None found in case sample	CMIPS, Face Sheet	CalWIN case comments	None found in sample case review	None found

#### **A. Additional Findings**

There are multiple repeat findings from the 2011 Compliance Review in the areas of Interpretive Services and Documenting. Bilingual staffing information was not available and will be discussed further in Section XI Civil Rights Compliance Plan. In reviewing the case samples, the reviewer did not find the following; Method to inform client of potential problem using their own interpreter and/or a signed Release of information to Interpreter in the case samples. However, in conducting the staff interviews, workers stated they verbally inform the clients.

The reviewer found the following:

- 5 out of 14 Children's Services cases had no interpretive services documentation
- 8 out 19 CalWORKS/CalFresh cases had no interpretive services documentation
- 2 out of 19 IHSS cases had no interpretive services documentation

**B. Corrective Actions**

<b>Areas of Action</b>	<b>Corrective Action</b>
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23
Temporary use of a minor (under 18 years of age) as an interpreter	When a minor (under 18 years of age) is used as an interpreter, the CWD shall so document the circumstances requiring <u>temporary</u> use of minors in the case record. Div. 21-116.22 Only under extenuating circumstances or at the specific request of the applicant/recipient shall a CWD allow a minor (under the age of 18 years) to temporarily act as an interpreter.
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22; ACL 8-65 Documentation of Interpretive Services

Areas of Action	Corrective Action
General	Alameda County Social Services Agency must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116, ACL 08-65

### C. Program Integrity Division

The Program Integrity Division (Fraud case review), the case sample reflected that this division's staff have been trained and are following the policy of Documentation of Interpretive Services. The Referral Form received by the Program Integrity staff identifies language spoken by the client, but does not identify if a client has a disability. Nor, does it identify if an auxiliary aid is requested.

### D. Corrective Action

Identifying applicant/recipient's disability.	Upon identifying an applicant/recipient's disability, Alameda County Social Services Agency shall ensure that the case record is so documented. The CWD shall document, in writing, and applicant/recipient's request for auxiliary aides and services (see Section 21-115.4) Div. 21-116.3
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## VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

### A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?		X		Two out of the fourteen workers interviewed, stated they could not remember when their last Civil Rights training was



				received. In Adult Program Services the workers interviewed stated they receive training once every five years.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?		X		Workers interviewed stated they would refer to either their Supervisor or the Civil Rights Coordinator.
Does the county provide employees Cultural Awareness Training?	X			
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			Workers interviewed stated they have diverse communities within their county however staff seemed to have a good knowledge about the cultural groups.

## B. Corrective Actions

Training Area	Corrective Action
Division 21, Civil Rights Training	Alameda County Social Services Agency shall ensure that employees receive Division 21 civil rights training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div. 21-117.1

## C. Recommendation

When a worker receives a discrimination complaint, it is Civil Rights Bureau (CRB) policy that the civil rights complaint shall be sent to the Civil Rights Coordinator for logging, tracking and investigation.

## **VIII. DISCRIMINATION COMPLAINT PROCEDURES**

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

### **A. Findings from Staff Interviews and Program Manager Surveys**

<b>Interview and review areas</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Findings</b>
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?		<b>X</b>		Three workers interviewed could not easily identify the difference between the three types of complaints.
Did the employees know who the Civil Rights Coordinator is?		<b>X</b>		Three workers interviewed did not know the name of the Civil Rights Coordinator.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?		<b>X</b>		Two workers did not know the location of the Civil Rights poster.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	<b>X</b>			

### **B. Corrective Action**

<b>Element</b>	<b>Corrective Action</b>
Discrimination Process	Alameda County Social Services Agency shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate it from other complaint processes. Div. 21-117 and 21-203
Civil Rights Coordinator	Alameda County Social Services Agency shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located. Div. 21-117 and 21-107.21

## **IX. COMMUNITY INPUT**

As a part of this review, and as noted in Section II, feedback was sought from the community advocate groups prior to the onsite review.

Luan Huynh, of the East Bay Community Law Center expressed her concerns during a telephone conference in regards to the Alameda County Social Services Agency. The following summarizes Luan's concerns and the reviewer's observations.

- The offer of free interpretive services to clients at initial contact.
- Forms are not provided in client's preferred language.

Maya Watts, of the Bay Area Legal Aid expressed her concerns as follows:

- Inappropriate interpreters (family members, often children) for less common languages.
- The offer of interpretive services (translated forms) when a client has noted a language preference, but no translated form exists. Clients are receiving English forms.

This provides issues that the county management team can address to improve its operations from a civil rights perspective.

### **A. Corrective Action**

<b>Area of Findings</b>	<b>Corrective Action</b>
Interpreter Services	Alameda County Social Services Agency must offer and provide free interpreter services using qualified interpreters. Div. 21-104q(1) and 21-115
Written Materials	Alameda County Social Services Agency must use and provide translated forms, to include translated notice of action forms, in the clients' primary languages when translated by CDSS. Div. 21-115.2

## **X. Review of Vendor Contracts for Assurance of Compliance**

A sample of vendor contracts was reviewed to ensure that vendor contracts included completed as part of the this 2013 compliance review to assess compliance with plan provisions for each contractor/vendor to provide a signed assurance of compliance, or its equivalent, for nondiscrimination in state and federally assisted programs. Alameda has

accomplished this through Section VII of their plan, which includes a copy of the CBO Master Contract and language access requirements for contractors. Each of the vendor contracts reviewed had the signed master contract assurances and presented no compliance issues.

## **XI. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL**

The Alameda County Social Services Agency Civil Rights Compliance Plan (CRCP) for the period January 1, 2013 – December 31, 2013, was received on April 8, 2013. There are a number of elements that were missing or incomplete in the plan, as described below. We will be requesting your CRCP for the current fiscal year's review within the next two months. Rather than correct the plan for last year, we are withholding approval pending your submitting a complete plan for the upcoming September 2014 Compliance Review, due on May 1, 2014. You will receive the CRCP "call" letter in the next two months. The following information must be included in your 2014 plan, along with all other required items:

### **1. Section III. Community Profile:**

- a. Provide primary language data statistics of welfare program caseloads by each office. Refer to Annual Plan Guidelines pg. 5

### **2. Section IV. Dissemination of Information:**

- a. Provide dates, location and method of outreach. Refer to Annual Plan Guidelines pg. 6

### **3. Section V. Services to Non-English-Speaking, Limited-English-Proficient and Disabled Applicants/Recipients:**

- a. Provide copy of Language Preference Form 50-85
- b. Provide what is the policy/procedure when a client fails to self-identify primary language.
- c. Provide policy/procedure to certify staff as qualified bilingual (including American Sign Language bilingual staff);
- d. Provide policy/procedure to ensure interpreters are able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary.
- e. Provide policy/procedure to track the use of interpreters (not including the assigned caseworker), such as the use of a log or other methods.
- f. Provide/procedure regarding allowing clients to use their own interpreters.
- g. Provide policy/procedure for how confidentiality of the interpreter is ensured.
- h. Provide the list of forms and materials translated by the county (list forms).
- i. Provide a list of community organizations available to provide services to

applicants/recipients, types of services provided, and relationship with the county (contractual, mutual agreement, memorandum of understanding).

#### **4. Section VI. Documentation of Clients' Case Records:**

- a. Provide a policy/procedure for documentation of a client's request for auxiliary aids, services or interpreter services and how those services were provided.
- b. Provide a policy/procedure for documentation when a client provides their own interpreters, including temporary emergency use of minors to translate.
- c. Provide policy/procedure for documentation of determining the competency of interpreters.
- d. Provide policy/procedure for documentation of a client's consent for release of information to interpreters. (Provide copy of form).
- e. Provide a policy/procedure for documentation of informing clients of the potential problems for ineffective communication when providing their own interpreters.
- f. Provide a policy/procedure for documentation of a client's request for forms and materials in primary languages.
- g. Provide a policy/procedure for documentation that clients were offered, accepted, or refused forms and materials in their documented primary languages.
- h. Provide complete list of contractors who provide services to clients. List should include address, program, and a brief description of the types of services provided.

## **XI. CONCLUSION**

The CDSS reviewer found the Alameda County Social Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Darleen Brooks, Civil Rights Coordinator, for organizing the details of the review, and to each Facilities Manager, who assisted in each of the facility reviews. In each District Office, staff was very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the Alameda County Social Services Agency in partial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The Alameda County Social Services Agency must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT  
FOR  
Alameda County Social Services Agency**

**Conducted on  
August/September 2013**

**California Department of Social Services  
Human Rights and Community Services Division  
Civil Rights Bureau  
744 P Street, M.S. 8-16-70  
Sacramento, CA 95814  
(916) 654-2107**

**Reviewer**

**Elsa Vazquez**